

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

GILDA HAGAN-BROWN, Plaintiff, v. ELI LILLY AND COMPANY, an Indiana corporation, Defendant.	Case No. 1:14-cv-01614-AJT-JFA Hon. Anthony J. Trenga Hon. John F. Anderson
JANINE ALI, Plaintiff, v. ELI LILLY AND COMPANY, an Indiana corporation, Defendant.	Case No. 1:14cv-01615-AJT-JFA Hon. Anthony J. Trenga Hon. John F. Anderson

JOINT PRETRIAL CONFERENCE STATEMENT

Plaintiffs Gilda Hagan-Brown and Janine Ali (“Plaintiffs”) and Defendant Eli Lilly and Company (“Lilly”) jointly submit this pretrial statement in anticipation of the Final Pretrial Conference set for June 18, 2015. In addition to the issues to be addressed by the Court as part of the Final Pretrial Conference, the Parties respectfully seek leave to address the following issues:

- **Plaintiffs’ motion to transfer.** The Court previously deferred ruling on Plaintiffs’ motion to transfer until the after the close of discovery. (*See* Dkt. 27.) Plaintiffs request that the motion be withdrawn and this case remain in this venue. Lilly does not oppose

this request.

- **Trial.** Plaintiffs believe that these cases should be tried together or concurrently so as to avoid duplicative costs. Lilly believes that the cases should be tried separately to avoid confusion and undue prejudice. The Parties request guidance from the Court on this issue.
- **Motions for summary judgment and *Daubert* motions.** Lilly anticipates filing motions for summary judgment and the Parties anticipate filing *Daubert* motions. The Parties would like to discuss the timing, hearing, and resolution of these motions in anticipation of trial.
- **Motions *in limine*.** The Parties anticipate filing various motions *in limine*. The Parties would like to discuss the timing, hearing, and resolution of these motions in anticipation of trial.
- **Deposition designations.** There have been several videotaped depositions taken of witnesses outside of subpoena *ad testificandum* power of the Court. The Parties intend to designate portions of each deposition to be played at trial. The Parties would like to discuss:
 - The timing of exchanging designations, counter-designations, and objections.
 - The Court's procedure for resolving objections.
 - The Court's procedure for playing videotaped depositions to the jury.
 - Use of demonstratives.
- **Exhibits.** The Parties would like to discuss the Court's process of resolving objections to exhibits.
- **Confidentiality of documents used at trial.** The Parties would like to discuss the use of

documents and testimony designated as “confidential” by the parties at trial.

- **Jury instructions and verdict form.** The Parties would like to discuss the timing of resolving the jury instructions with the Court in anticipation of trial.
- **Voir dire and jury selection.** The Parties would like to discuss the Court’s process of impaneling jurors, use and number of preemptory strikes, submission of *voir dire* questions, and the use and preparation of a statement of the case.

DATED: June 17, 2015

Respectfully submitted,

/s/ Peter A. Miller

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CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of June, 2015, a true copy of the foregoing JOINT PRETRIAL CONFERENCE STATEMENT was filed electronically with the Clerk of Court for the Eastern District of Virginia, using the CM/ECF system, which will send a notification of such filing to the following:

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